



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/978,543

10/18/2001

Shiro Nagaoka

P 283791 T4HW-01S0277

5082

909

7590

10/07/2004

PILLSBURY WINTHROP, LLP

P.O. BOX 10500

MCLEAN, VA 22102

EXAMINER

WHIPKEY, JASON T

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 09/978,543 | Applicant(s) NAGAOKA | |
| | Examiner Jason T. Whipkey | Art Unit 2612 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9-12 and 14-16 is/are rejected.
- 7) ☒ Claim(s) 3,8,13 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claims 3, 8, and 13 are objected to because of a typographical error. In each of the claims, "virtual directly" on line 3 will be interpreted as -- virtual directory --.

Appropriate correction is required.

2. Claim 17 is objected to because of a typographical error. "Virtual directly" on lines 4-5 will be interpreted as -- virtual directory --.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4, 6, 7, 9, 11, 12, 14, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Whitcher (U.S. Patent No. 6,760,065).

Regarding **claim 1**, Whitcher discloses:

Art Unit: 2612

A method of processing files including a first (a digital camera, such as the one shown in Figure 6; see column 6, lines 22-23) and second (a computer, such as the one shown in Figure 5; see column 6, line 23) apparatuses, each apparatus for recording image data in a built-in recording medium (the digital camera in Figure 6 stores captured images on removable storage device 130 [see column 3, lines 59-63]; the computer is capable of receiving images from the digital camera and storing them [see column 6, lines 21-28]) in a manner of complying with a file-managing structure compatible with a DCF standard (the disclosed invention is intended to overcome the constraints imposed by the DCF standard; see column 1, lines 35-45), and permitting the first and the second apparatus to mutually transmit the recorded image data therebetween (the digital camera and the computer may be connected together to transfer files; see column 6, lines 22-29), wherein

a virtual directory name in a form not defined as the DCF standard can be set with respect to a directory recorded in each recording medium of the first (using the digital camera, the user may enter a nonstandard image pathname [i.e., directory name], termed “a presentation name”, using a keypad on the camera; see column 5, lines 8-14, and column 6, lines 11-14) and second apparatus (using the computer, the user may enter a presentation name using keyboard 109; see column 6, lines 27-29) in a manner of complying with the file-managing structure compatible with the DCF standard (the “restrictive pathnames imposed by the naming convention of the supported filesystem” 44 are stored in a table of contents file 38 along with the presentation pathnames 42,

Art Unit: 2612

wherein the files located on removable storage device 130 are actually stored using the restrictive pathnames; see column 4, line 66, through column 5, line 19),

a virtual directory management file (image table of contents file 38; see column 5, lines 7-8), wherein the virtual directory name is to be compatible with a directory name that corresponds to the virtual directory name and complies with the DCF standard (presentation pathnames 42 are mapped to restrictive pathnames 44 in image table of contents file 38; see column 5, lines 6-19), is formed, and

the file on virtual directory management is to be maintained, although the image data is transmitted mutually between the first and second apparatus (the computer and the camera both have the capability to process the image table of contents and maintain the table of contents in order to be usable by the receiving system; see column 5, lines 20-25, and column 6, lines 19-27).

Regarding **claim 2**, Whitcher discloses:

the first and second apparatus refer to the file on virtual directory management by specifying the virtual directory name and find a directory corresponding to the specified virtual directory name from the DCF standardized file-managing structure recorded in the recording medium (presentation pathname 42 is mapped to restrictive pathname 44 in image table of contents file 38 so that a user may access the restrictive pathname by selecting the presentation pathname; see column 5, lines 8-19).

Regarding **claim 4**, Whitcher discloses:

Art Unit: 2612

the first apparatus is a digital camera (shown in Figure 6; see column 6, lines 22-23) and the second apparatus is a personal computer (shown in Figure 5; see column 6, line 23).

Regarding **claim 6**, Whitcher discloses:

An apparatus of processing files including a first apparatus (a digital camera, such as the one shown in Figure 6; see column 6, lines 22-23) for recording image data in a built-in recording medium in a manner of complying with a file-managing structure compatible with a DCF standard, and a second apparatus (a computer, such as the one shown in Figure 5; see column 6, line 23), connected to the first apparatus in a manner capable of transmitting data (the digital camera and the computer may be connected together to transfer files; see column 6, lines 22-29), for recording image data in a built-in recording medium in a manner of complying with a file-managing structure compatible with a DCF standard (the disclosed invention is intended to overcome the constraints imposed by the DCF standard; see column 1, lines 35-45), comprising:

input means (the keypad located on the camera [see column 6, lines 11-14] and the keyboard 109 connected to the computer [see column 6, lines 26-28]) for inputting and setting a virtual directory name in a form not defined as the DCF standard (the user may enter a nonstandard image pathname [i.e., directory name], termed “a presentation name”; see column 5, lines 8-14) with respect to a directory recorded in each recording medium of the first and second apparatus in a manner of complying with the file-managing structure compatible with the DCF standard (the “restrictive pathnames imposed by the naming convention of the supported filesystem” 44 are stored in a table

of contents file 38 along with the presentation pathnames 42, wherein the files located on removable storage device 130 are actually stored using the restrictive pathnames; see column 4, line 66, through column 5, line 19); and

recording means (disk 105 for the computer shown in Figure 5 and digital storage device 130 for the digital camera shown in Figure 6) for defining the virtual directory name input by the input means as a recording name, forming a virtual directory management file (image table of contents file 38; see column 5, lines 7-8), wherein the virtual directory name is to be compatible with a directory name that corresponds to the virtual directory name and complies with the DCF standard (presentation pathnames 42 are mapped to restrictive pathnames 44 in image table of contents file 38; see column 5, lines 6-19), and recording the file on virtual directory management in the recording medium (Figure 3 is the filesystem hierarchy, including image table of contents file 38), wherein

the file on virtual directory management is to be maintained, whereas the image data is transmitted mutually between the first and second apparatus (the computer and the camera both have the capability to process the image table of contents and maintain the table of contents in order to be usable by the receiving system; see column 5, lines 20-25, and column 6, lines 19-27).

Regarding **claim 7**, Whitcher discloses:

the first and second apparatus comprise control means for referring to the file on virtual directory management by specifying the virtual directory name and finding a directory corresponding to the specified virtual directory name from the DCF

Art Unit: 2612

standardized file-managing structure recorded in the recording medium (presentation pathname 42 is mapped to restrictive pathname 44 in image table of contents file 38 so that a user may access the restrictive pathname by selecting the presentation pathname; see column 5, lines 8-19).

Regarding **claim 9**, Whitcher discloses:

the first apparatus is a digital camera (shown in Figure 6; see column 6, lines 22-23) and the second apparatus is a personal computer (shown in Figure 5; see column 6, line 23).

Regarding **claim 11**, Whitcher discloses:

An apparatus of processing files including a first apparatus (a digital camera, such as the one shown in Figure 6; see column 6, lines 22-23) for recording image data in a built-in recording medium in a manner of complying with a file-managing structure compatible with a DCF standard, and a second apparatus (a computer, such as the one shown in Figure 5; see column 6, line 23), connected to the first apparatus in a manner capable of transmitting data (the digital camera and the computer may be connected together to transfer files; see column 6, lines 22-29), for recording image data in a built-in recording medium in a manner of complying with a file-managing structure compatible with a DCF standard (the disclosed invention is intended to overcome the constraints imposed by the DCF standard; see column 1, lines 35-45), comprising:

an input section (the keypad located on the camera [see column 6, lines 11-14] and the keyboard 109 connected to the computer [see column 6, lines 26-28]) inputting and setting a virtual directory name in a form not defined as the DCF standard (the user

Art Unit: 2612

may enter a nonstandard image pathname [i.e., directory name], termed “a presentation name”; see column 5, lines 8-14) with respect to a directory recorded in each recording medium of the first and second apparatus in a manner of complying with the file-managing structure compatible with the DCF standard (the “restrictive pathnames imposed by the naming convention of the supported filesystem” 44 are stored in a table of contents file 38 along with the presentation pathnames 42, wherein the files located on removable storage device 130 are actually stored using the restrictive pathnames; see column 4, line 66, through column 5, line 19); and

a recording section (disk 105 for the computer shown in Figure 5 and digital storage device 130 for the digital camera shown in Figure 6) defining the virtual directory name input by the input section as a recording name, forming a virtual directory management file (image table of contents file 38; see column 5, lines 7-8), wherein the virtual directory name is to be compatible with a directory name that corresponds to virtual directory name and complies with the DCF standard (presentation pathnames 42 are mapped to restrictive pathnames 44 in image table of contents file 38; see column 5, lines 6-19), and recording the file on virtual directory management in the recording medium (Figure 3 is the filesystem hierarchy, including image table of contents file 38), wherein

the file on virtual directory management is to be maintained, whereas the image data is transmitted mutually between the first and second apparatus apparatus (the computer and the camera both have the capability to process the image table of contents

Art Unit: 2612

and maintain the table of contents in order to be usable by the receiving system; see column 5, lines 20-25, and column 6, lines 19-27).

Regarding **claim 12**, Whitcher discloses:

the first and second apparatus comprise control sections for referring to the file on virtual directory management by specifying the virtual directory name and find a directory corresponding to the specified virtual directory name from the DCF standardized file-managing structure recorded in the recording medium (presentation pathname 42 is mapped to restrictive pathname 44 in image table of contents file 38 so that a user may access the restrictive pathname by selecting the presentation pathname; see column 5, lines 8-19).

Regarding **claim 14**, Whitcher discloses:

the first apparatus is a digital camera (shown in Figure 6; see column 6, lines 22-23) and the second apparatus is a personal computer (shown in Figure 5; see column 6, line 23).

Regarding **claim 16**, Whitcher discloses:

A recording medium (disk 105 for the computer shown in Figure 5 and digital storage device 130 for the digital camera shown in Figure 6) for file management in which image data is recorded in a manner of complying with a file-managing structure compatible with a DCF standard (the “restrictive pathnames imposed by the naming convention of the supported filesystem” 44 are stored in a table of contents file 38 along with the presentation pathnames 42, wherein the files located on removable storage

Art Unit: 2612

device 130 are actually stored using the restrictive pathnames; see column 4, line 66, through column 5, line 19), wherein

a file on virtual directory management (image table of contents file 38; see column 5, lines 7-8), wherein a virtual directory name in a form not defined as the DCF standard is to be compatible with a directory name that corresponds to the virtual directory name and complies with the DCF standard, is recorded with respect to a directory recorded in a manner of complying with the file-managing structure compatible with the DCF standard (presentation pathnames 42 are mapped to restrictive pathnames 44 in image table of contents file 38; see column 5, lines 6-19).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 5, 10, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitcher in view of Yokonuma (U.S. Patent Application Publication No. 2004/0051785).

Claims 5, 10, and 15 may be treated like claims 1, 6, and 11, respectively. However, Whitcher is silent with regard to performing transfers between two digital cameras.

Art Unit: 2612

Yokonuma, as shown in Figure 2, shows two digital cameras capable of exchanging data. An advantage to allowing two cameras to communicate is that images may be shared with other camera owners without the use of an intermediary computer. For this reason, it would have been obvious at the time of invention to have Whitcher's invention utilize two cameras connected together.

Allowable Subject Matter

7. Claims 3, 8, 13, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding each of these claims, no prior art could be located that teaches or fairly suggests a directory having a DCF-compatible structure and the non-DCF virtual directory management file having different extensions.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason T. Whipkey, whose telephone number is (703) 305-1819.

Art Unit: 2612

The examiner can normally be reached Monday through Friday from 8:30 A.M. to 6:00 P.M. eastern daylight time, alternating Fridays off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber, can be reached on (703) 305-4929. The fax phone number for the organization where this application is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTW

JTW

September 28, 2004


WENDY R. GARBER
SUPERVISORY PATENT EXAMINEE
TECHNOLOGY CENTER 2600